

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	PRELIMINARY ORDER OF
- v. -	:	FORFEITURE
	:	<u>MONEY JUDGMENT</u>
MUHAMMAD KHALID KHAN,	:	
a/k/a “KK,”	:	S1 18 Cr. 830 (VSB)
Defendant.	:	
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WHEREAS, on or about November 10, 2020, MUHAMMAD KHALID KHAN, a/k/a “KK” (the “Defendant”), was charged in a two-count Superseding Information, S1 18 Cr. 830 (VSB) (the “Information”), with attempted narcotics importation, in violation of Title 21, United States Code, Section 963, 959(a) and 959(d) (Count One); and promotional money laundering, in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2 (Count Two);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, of any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the offense charged in Count One of the Information, and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the offense charged in Count One of the Information that the Defendant personally obtained;

WHEREAS, the Information included a second forfeiture allegation as to Count Two of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), of any and all property, real and personal, involved in the offense charged in Count Two of the Information or any property traceable to such property, including but not

limited to a sum of money in United States currency representing the amount of property involved in the offense charged in Count Two of the Information;

WHEREAS, on or about April 29, 2019, the Government seized \$10,000 in United States currency from the Defendant at the time of his arrest (the “Seized Currency”);

WHEREAS, on or about November 10, 2020, the Defendant pled guilty to Counts One and Two of the Information, pursuant to a plea agreement with the Government and agreed to forfeit to the United States, pursuant to Title 21, United States Code, Section 853 and 970, any and all proceeds obtained, directly or indirectly, as the result of the offense charged in Count One of the Information, and pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in the offense charged in Count Two of the Information, or any property traceable to such property, including but not limited to, a sum of money in United States currency representing the amount of property involved in the offense charged in Count Two of the Information;

WHEREAS, the Government asserts that \$39,986.21 in United States currency represents the proceeds obtained, directly and indirectly, as a result of the offense charged in Count One of the Information, and the amount of property involved in the offense charged in Count Two of the Information;

WHEREAS, the Government seeks the entry of a money judgment in the amount of \$39,986.21 in United States currency representing the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained, and the amount of property involved in the offense charged in Count Two of the Information;

WHEREAS, on October 21, 2019 a Declaration of Administrative Forfeiture was entered forfeiting the Seized Currency to the Government; and

WHEREAS, the Court finds that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained, and the property involved in the offense charged in Count Two of the Information cannot be located upon the exercise of due diligence, with the exception of the Seized Currency.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One and Two of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$39,986.21 in United States currency (the “Money Judgment”), representing the proceeds the Defendant obtained as a result of the offense charged in Count One of the Information, and property involved in the offense charged in Count Two of the Information, shall be entered against the Defendant.

2. The Seized Currency shall be applied towards the partial satisfaction of the Money Judgment.

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this ~~Consent~~ Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, MUHAMMAD KHALID KHAN, a/k/a “KK,” and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St.

Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

5. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

6. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

7. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

8. The Court shall retain jurisdiction to enforce this ~~Consent~~ Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

SO ORDERED:



HONORABLE VERNON S. BRODERICK  
UNITED STATES DISTRICT JUDGE

February 17, 2022

DATE